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(1904-1966)

MAR 3 2 25 PM '92

AUDIO SERVICES

RECEIVED

March 2, 1992

MAR 03 1992

RECEIVED

MAR 2 - 1992

AMENDMENT

MAR 3 2 25 PM '92

Federal Communications Commission  
Office of the Secretary

Please amend the pending application (FCC Form 301) of Moonbeam, Inc. (File No. BPH-911115MG), for a construction permit for a new commercial FM broadcast station on FM Channel 265 (100.9 MHz) at Calistoga, California, in the following respects:

~~Section II, Page 2 (FCC 301, Page 2). Delete the Section II, Page 2 (FCC 301, Page~~

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

1. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.
2. Citizenship.
3. Office or directorship held.
4. Number of shares or nature of partnership interests.
5. Number of votes.
6. Percentage of votes.
7. Other existing attributable interests in any broadcast station, including the nature and size of such interests.
8. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.3555 and 73.501, including the nature and size of such interests and the positions held.

|    |   |   |  |
|----|---|---|--|
| 1. | Moonbeam, Inc.<br>P.O. Box 526<br>Nicasio, CA 94946 | Mary F. Constant<br>Shoot the Moon<br>Nicasio, CA 94946 |  |
| 2. | U.S.A.  | U.S.A.  |  |
| 3. | Not Applicable                                      | President/<br>Secretary                                 |  |
| 4. | -0-   | 10  |  |
| 5. | -0-   | 10  |  |
| 6. | -0-   | 100%  |  |
| 7. | None/Not Applicable                                 | None  |  |
| 8. | None/Not Applicable                                 | None  |  |

## Section II - LEGAL QUALIFICATIONS

Name of Applicant \_\_\_\_\_

1. Applicant is: (check one box below)

- ☐ Individual      ☐ General partnership      ☐ For-profit corporation  
☐ Other      ☐ Limited partnership      ☐ Not-for-profit corporation

2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership, or corporation, describe in an Exhibit the nature of the application.

Exhibit No. \_\_\_\_\_

NOTE: The terms "applicant," "parties to this application," and "non-party equity owners in the applicant" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" and each "non-party equity owner in the applicant" is required. If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

3. If the applicant is not an individual, provide the date and place of filing of the applicant's enabling charter (e.g., a limited partnership must identify its certificate of limited partnership and a corporation must identify its articles of incorporation by date and place of filing):

Date \_\_\_\_\_ Place \_\_\_\_\_

In the event there is no requirement that the enabling charter be filed with the state, the applicant shall include the enabling charter in the applicant's public inspection file. If, in the case of a partnership, the enabling charter does not include the partnership agreement itself, the applicant shall include a copy of the agreement in the applicant's public inspection file.

4. Are there any documents, instruments, contracts or understandings (written or oral), other than instruments identified in response to Question 3 above, relating to future ownership interests in the applicant, including but not limited to, insulated limited partnership shares, nonvoting stock interests, beneficial stock ownership interests, options, rights of first refusal, or debentures?

☐ Yes ☐ No

If Yes, submit as an Exhibit all such written documents, instruments, contracts, or understandings, and provide the particulars of any oral agreement.

Exhibit No. \_\_\_\_\_

5. Complete, if applicable, the following certifications:

(a) Applicant certifies that no limited partner will be involved in any material respect in the management or operation of the proposed station.

☐ Yes ☐ No

If No, applicant must complete Question 6 below with respect to all limited partners actively involved in the media activities of the partnership.

(b) Does any investment company (as defined in 15 U.S.C. Section 80 a-3), insurance company, or trust department of any bank have an aggregated holding of greater than 5% but less than 10% of the outstanding votes of the applicant?

☐ Yes ☐ No

If Yes, applicant certifies that the entity holding such interest exercises no influence or control over the applicant, directly or indirectly, and has no representatives among the officers and directors of the applicant.

☐ Yes ☐ No

7. Does the applicant, any party to the application or any non-party equity owner in the applicant have, or have they had, any interest in:

(a) a broadcast station, or pending broadcast station application before the Commission?

☐ Yes ☒ No

(b) a broadcast application which has been dismissed with prejudice by the Commission?

☒ Yes ☐ No

(c) a broadcast application which has been denied by the Commission?

☐ Yes ☒ No

(d) a broadcast station, the license of which has been revoked?

☐ Yes ☒ No

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?

☐ Yes ☒ No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.  
1

(1) Name of party having interest;

(2) Nature of interest or connection, giving dates;

(3) Call letters of stations or file number of application or docket; and

(4) Location.

8. (a) Are any of the parties to the application or non-party equity owners in the applicant related (as husband, wife, father, mother, brother, sister, son or daughter) to each other?

☐ Yes ☒ No

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to the application or non-party equity owner in the applicant have any interest in or connection with any other broadcast station, pending broadcast application or newspaper in the same area (see Section 73.3555(c)) or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

☐ Yes ☒ No

If the answer to (a) or (b) above is Yes, attach an Exhibit giving full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.  
N/A

9. State in an Exhibit any interest the applicant or any party to this application proposes to

Exhibit No.

Section 11 - LEGAL QUALIFICATIONS (Page 4)

CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

11. (a) Is the applicant in violation of the provisions of Section 810 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction C to Section 11.)

☐ Yes ☐ No

(b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

☐ Yes ☐ No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.

12. (a) Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant in a civil or criminal proceeding brought under the provisions of any law related to the following:

Any felony; broadcast related antitrust or unfair competition; criminal fraud or fraud before another governmental unit; or discrimination?

☐ Yes ☐ No

(b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above?

☐ Yes ☐ No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving full disclosure concerning persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter.

Exhibit No.

SECTION III - FINANCIAL QUALIFICATIONS

NOTE: If this application is for a change in an operating facility do not fill out this section.

1. The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue.

☒ Yes ☐ No

## SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more full-time employees?

☐ Yes ☒ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 898-A).

## SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 78.9580?

☒ Yes ☐ No

2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?

☒ Yes ☐ No

Exhibit No.

If No, attach as an Exhibit, a full explanation.

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of Person Contacted Mr. Al Huber, KFTY-TV

Telephone No. (include area code) (707) 526-5050

Person contacted: (check one box below)

☐ Owner

☒ Owner's Agent

☐ Other (specify)

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

SECTION VII - CERTIFICATION (Page 5)

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.  
U.S. CODE, TITLE 18, SECTION 1001.

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

|                                     |                                       |
|-------------------------------------|---------------------------------------|
| Name of Applicant<br>MOONBEAM, INC. | Signature<br><i>Mary Constant</i>     |
| Date<br>February 27, 1992           | Title<br>Ms. Mary Constant, President |

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT  
AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, analysts, engineers and applications examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 71 hours 45 minutes to 301 hours 30 minutes with an average of 118 hours 28 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications

FCC Form 301  
Sec. II, Item 7(a)

Amended Exhibit No. 1  
February 1992

**MOONBEAM, INC.**  
**OTHER APPLICATIONS**

In May, 1991, Moonbeam, Inc., filed an application (FCC Form 301) for authority to construct a new FM Broadcast station on FM Channel 265 at Eagle, Idaho. Several other mutually exclusive applicants also filed for the Eagle, Idaho, facility. A settlement among the various applicants was achieved and approved by the Federal Communications Commission. As a result and function of that settlement, the application of Moonbeam, Inc., for Eagle, Idaho, has been dismissed. (See FCC Public Notice dated February 2, 1992.)

Mary F. Constant, President and sole shareholder of Moonbeam, Inc., was sole shareholder and an officer of Sagebrush Communications Company, an applicant for a new commercial FM broadcast station at Bend, Oregon (File No. BPH-0820825AG). A settlement was approved in that proceeding and the Sagebrush application was dismissed by letter on September 1, 1983.

**MOONBEAM, INC.  
INTEGRATION STATEMENT**

Mary F. Constant will participate in the management of the proposed station and will work full-time (a minimum of 40 hours per week) as General Manager of the station, and will supervise the overall operations of the station and the employees. Mary F. Constant is a female and Moonbeam, Inc. ("Moonbeam"), claims whatever comparative enhancement may now exist for her gender.

Mary F. Constant is a former resident of Sonoma County, having resided there from 1946 until 1969. During that time Ms. Constant served as a Junior Grey Lady at the Petaluma Hospital, Petaluma, Sonoma County, California. She lived in Santa Rosa, Sonoma County, California while attending college at Sonoma State University, Santa Rosa, California. Calistoga, California, is located in Napa County, which is contiguous to Sonoma County. Santa Rosa and substantial portions of Sonoma County are within the 1.0 mV/m contour of Moonbeam's proposed station.

Mary F. Constant intends to relocate her residence within the 1.0 mV/m contour of the station proposed by Moonbeam and is presently actively pursuing permanent residence.

***KLEIN  
BROADCAST  
ENGINEERING***

**FCC ORIGINAL**

*dedicated to improving the science and technology of radio & television communications*

*FCC FORM 301 APPLICATION*

*FOR FM C.P. CH.265A*

*AMENDMENT of APPLICATION*

*FCC FILE # BPH-911115MG*

*PREPARED FOR*

*MOONBEAM, INC.*

*CALISTOCA CALIFORNIA*

# **KLEIN BROADCAST ENGINEERING**

*dedicated to improving the science and technology of radio & television communications*

FEBRUARY 1992

FCC FORM 301 APPLICATION  
FOR AMENDMENT of FM CONSTRUCTION PERMIT APPLICATION  
MOONBEAM, INC.  
NEW (FM)  
FM CHANNEL 265 A / 100.9 mHz.  
CALISTOGA, CALIFORNIA

## INTRODUCTION and ENGINEERING STATEMENT

The applicant, Moonbeam, Inc., has retained the firm of Klein Broadcast Engineering to prepare the engineering calculations and engineering exhibits required in support of FCC Form 301, an application to amend its existing application ( FCC File Number BPH-911115MG) to construct a new Class A FM broadcast station, on FM channel 265 "A", at Calistoga, California.

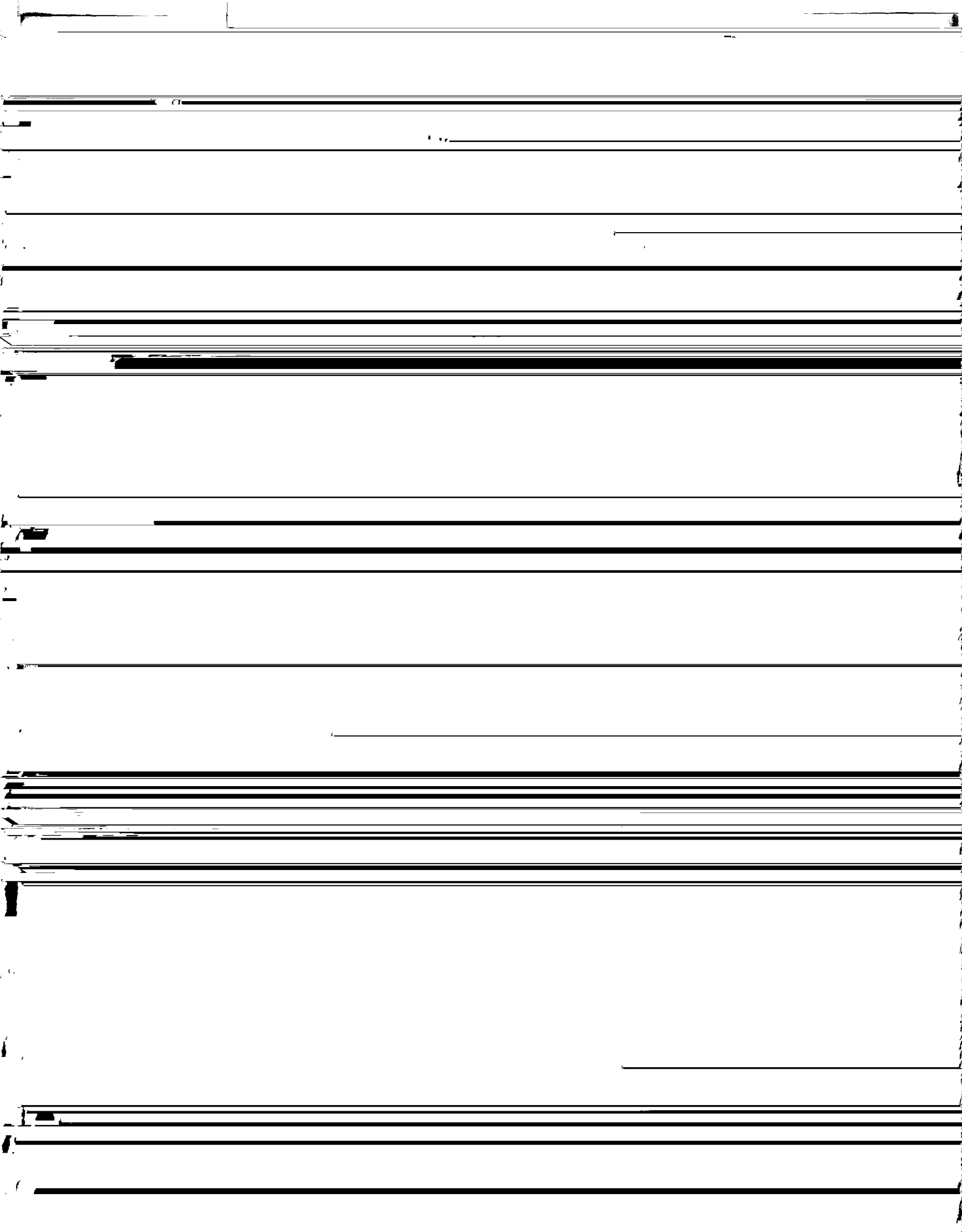
The facilities requested are as follows: Operation on FM Channel 265 A / 100.9 mHz. with 0.064 kilowatts E.R.P. in the horizontal and vertical planes, at 898 meters HAAT. The E.R.P. power level of 0.064 kilowatts is the calculated maximum power for Class "A" facilities at the 898 meter HAAT specified. The existing antenna support tower at KFTY(TV) is proposed to be used for these facilities. No new tower construction is proposed.

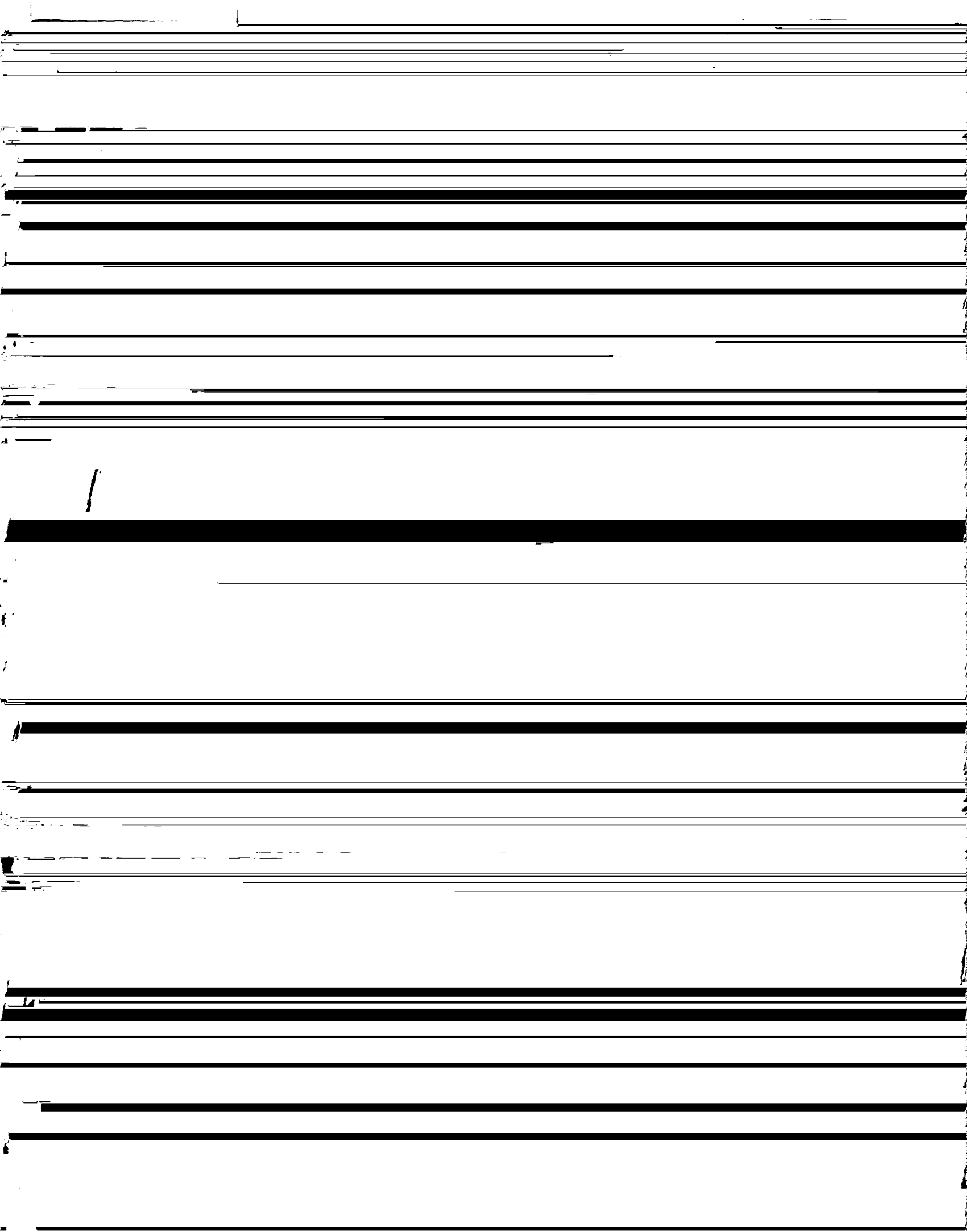
The facilities requested in this FCC Form 301 application for FM Construction Permit complies with all requirements of Section 73.207 of the Commission's Rules and Regulations as amended to date. Compliance is demonstrated through Exhibit E-5, included and made a part of this application.

The facilities requested in this FCC Form 301 application for FM Construction Permit complies with all the requirements of Section 73.315 of the Commission's Rules and Regulations as amended to date, all applicable paragraphs included.

The distances to the 60 dBu and 70 dBu contours were calculated from the Rules and Regulations of the Federal Communications Commission, Sections 73.311, 73.312, 73.313, 73.315 and 73.333 as amended to date.

The topographic data found in this FCC Form 301 application was generated from the NGDC 30 Second Terrain Data File.





**Section V-B - FM BROADCAST ENGINEERING DATA**

FOR COMMISSION USE ONLY

File No. \_\_\_\_\_

ASB Referral Date \_\_\_\_\_

Referred by \_\_\_\_\_

Name of Applicant

MOONBEAM, INC.

Call letters (if issued)

(NONE)

Is this application being filed in response to a window? ☐ Yes ☒ No

If Yes, specify closing date: \_\_\_\_\_

Purpose of Application: (check appropriate boxes)

AMEND PENDING APPLICATION FCC FILE # BPH-911115MG

☐ Construct a new (main) facility

☐ Construct a new auxiliary facility

☐ Modify existing construction permit for main facility

☐ Modify existing construction permit for auxiliary facility

☐ Modify licensed main facility

☐ Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

☒ Antenna supporting-structure height

☒ Effective radiated power

☒ Antenna height above average terrain

☐ Frequency

☒ Antenna location

☐ Class

☐ Main Studio location

☐ Other (Summarize briefly)

File Number(s) AMEND PENDING APPLICATION / FCC FILE # BPH-911115MG

**1. Allocation:**

| Channel No. | Principal community to be served: |                |              |
|-------------|-----------------------------------|----------------|--------------|
| 265         | City<br>CALISTOGA                 | County<br>NAPA | State<br>CA. |

Class (check only one box below)

☒ A ☐ B1 ☐ B ☐ C3

☐ C2 ☐ C1 ☐ C

**2. Exact location of antenna.**

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark. Atop Mount St. Helena, Sonoma County, California, 11.39 kilometers NNW of Calistoga, Napa County, California, on a bearing of 337.10° True.

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

|          |   |    |    |           |   |    |    |
|----------|---|----|----|-----------|---|----|----|
| Latitude | ° | '  | "  | Longitude | ° | '  | "  |
| 38       |   | 40 | 10 | 122       |   | 37 | 52 |

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☒ Yes ☐ No

If Yes, give call letter(s) or file number(s) or both.

K F T Y - T V / BPCT-900511KF & BLCT-850726KH

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.

DNA

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?

☐ Yes ☒ No

If Yes, list old coordinates.

|          |   |   |   |           |   |   |   |
|----------|---|---|---|-----------|---|---|---|
| Latitude | ° | ' | " | Longitude | ° | ' | " |
|----------|---|---|---|-----------|---|---|---|

5. Has the FAA been notified of the proposed construction?

☒ Yes ☐ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.  
E-15

Date February 24, 1992 Office where filed Western Pacific Regional Office  
Los Angeles, California

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

| Landing Area         | Distance (km) | Bearing (degrees True) |
|----------------------|---------------|------------------------|
| (a) <u>7-M Ranch</u> | <u>7.67</u>   | <u>46.8° T.</u>        |
| (b) _____            | _____         | _____                  |

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level; 1306 meters

(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 52 meters

(3) of the top of supporting structure above mean sea level [(aX1) + (aX2)] 1358 meters

(b) Height of radiation center: (to the nearest meter) H = Horizontal; V = Vertical

(1) above ground 12 meters (H)

12 meters (V)

(2) above mean sea level [(aX1) + (bX1)] 1318 meters

1318 meters (V)

(3) above average terrain 898 meters (H)

898 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.  
E-4

9. Effective Radiated Power:

(a) ERP in the horizontal plane

0.064 kw (H\*) 0.064 kw (V\*)

(b) Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

Exhibit No.  
DNA

\_\_\_\_\_ kw (H\*) \_\_\_\_\_ kw (V\*)

\*Polarization

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 3)

10. Is a directional antenna proposed?

☐ Yes ☒ No

If Yes attach as an Exhibit a statement with all data specified in 47 CFR Section 73.316.

Exhibit No.

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 4)

15. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V. The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.  
E-1C

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
E-1A

MAP SOURCE: NOAA / USGS / Western United States "Santa Rosa"  
1:250,000 scale

- (a) the proposed transmitter location, and the radials along which profile graphs have been prepared;
- (b) the 3.16 mV/m and 1 mV/m predicted contours; and
- (c) the legal boundaries of the principal community to be served.
17. Specify area in square kilometers (1 sq. mi. = 259 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 2,506.6 sq. km.

Population 214,277 persons (1990 U.S. CENSUS)

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
DNA

- (a) the proposed auxiliary 1 mV/m contour; and
- (b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.
19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313)*

Source of terrain data: *(check only one box below)*

☒ Linearly interpolated 30-second database ☐ 7.5 minute topographic map

(Source: NGDC 30 SECOND TERRAIN DATABASE)

☐ Other *(briefly summarize)*

## SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 5)

| Radial bearing<br>(degrees True) | Height of radiation<br>center above average<br>elevation of radial<br>from 8 to 16 km<br>(meters) | Predicted Distances                      |                                       |
|----------------------------------|---|--|---------------------------------------|
|                                  |   | To the 3.18 mV/m contour<br>(kilometers) | To the 1 mV/m contour<br>(kilometers) |
| * 157°T.                         | 1039.7  | 14.3                                     | 30.4                                  |
| 0                                | 854.6   | 13.5                                     | 27.6                                  |
| 45                               | 894.3   | 13.7                                     | 28.2                                  |
| 90                               | 840.3   | 13.5                                     | 27.3                                  |
| 135                              | 955.4   | 14.0                                     | 29.1                                  |
| 180                              | 988.5   | 14.1                                     | 29.6                                  |
| 225                              | 1114.9  | 14.7                                     | 31.6                                  |
| 270                              | 1041.9  | 14.4                                     | 30.5                                  |
| 315                              | 491.5   | 11.0                                     | 20.6                                  |

\*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

## 20. Environmental Statement (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact? ☐ Yes ☒ No

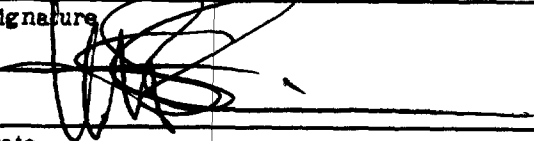
If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No.  
DNA

If No, explain briefly why not. Applicant proposes no new tower construction, proposed antenna to be mounted on existing tower structure. Compliance with FCC OST Bulletin #65, ANSI/EPA RFR Guidelines is certified. Details of compliance may be found in Exhibit E-10RHS

## CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

|   |  |
|---|--|
| Name (Typed or Printed)   | Relationship to Applicant (e.g., Consulting Engineer)                                |
| Elliott Kurt Klein  | Consulting Broadcast Engineer  |
| Signature   | Address (Include ZIP Code)   |
|  | KLEIN BROADCAST ENGINEERING<br>5529 East Sapphire Lane<br>Paradise Valley, AZ. 85253 |
| Date  | Telephone No. (Include Area Code)  |
| February 24, 1992   | ( 602 ) 991-0575   |

# **KLEIN BROADCAST ENGINEERING**

*dedicated to improving the science and technology of radio & television communications*

FEBRUARY 1992

EXHIBIT E-1AD  
FCC FORM 301 APPLICATION  
FOR AMENDMENT of FM CONSTRUCTION PERMIT APPLICATION  
FCC FILE NUMBER BPH-911115MG  
MOONBEAM, INC.  
NEW (FM)  
FM CHANNEL 265 A / 100.9 MHz.  
CALISTOGA , CALIFORNIA

## TABULATIONS of POPULATIONS and AREAS

| <u>CONTOUR</u>    | <u>POPULATION 1980 CENSUS</u> | <u>AREA in SQ.KM.</u> |
|-------------------|-------------------------------|-----------------------|
| 70 dBu (3.16mv/m) | 7,663 persons                 | 584.9 SQ. KM.         |
| 60 dBu (1.00mv/m) | 164,880 " "                   | 2,506.6 " "           |

## POPULATION 1986 US CENSUS UPDATE

|                   |               |
|-------------------|---------------|
| 70 dBu (3.16mv/m) | 8,655 persons |
| 60 dBu (1.00mv/m) | 188,469 " "   |

## POPULATION 1990 US CENSUS

|                   |               |
|-------------------|---------------|
| 70 dBu (3.16mv/m) | 8,993 persons |
| 60 dBu (1.00mv/m) | 214,277 " "   |

# **KLEIN BROADCAST ENGINEERING**

*dedicated to improving the science and technology of radio & television communications*

FEBRUARY 1992

EXHIBIT E-2  
FCC FORM 301 APPLICATION  
FOR AMENDMENT of FM CONSTRUCTION PERMIT APPLICATION  
FCC FILE NUMBER BPH-911115MG  
MOONBEAM, INC.  
NEW (FM)  
FM CHANNEL 265 A / 100.9 mHz.  
CALISTOGA , CALIFORNIA

## ADVERSE AFFECT RESPONSIBILITY STATEMENT

The proposed site is located in a rural, mountainous, low population density area. The site is located atop Mount Saint Helena, Sonoma County, California, 11.39 kilometers NNW of Calistoga, California, on a bearing of 337.10 degrees true from Calistoga, California.

The proposed one (1) bay FM antenna is to be side mounted, on the existing KFTY (TV) guyed steel tower as specified in this application. The proposed radiation center is to be at the 12 meter level AGL. The existing tower structure is 52 meters AGL overall height above ground level. No new construction is proposed.

There is one (1) other FM broadcast station application for construction permit designated to be constructed within 60 meters of the proposed site. This application is for a new FM station on the same FM channel specified in this application. There are four applications or licenses on file with the Commission for FM facilities within 60 meters of the proposed site and four TV applications or licenses on file with the Commission within 60 meters of the proposed site. There are a number of other stations proposed or licensed to sites within 10.0 kilometers of the proposed site. A listing of these stations may be found in Exhibit E-2A of this application.

There are NO AM Standard Broadcast Stations within 10.0 kilometers of the proposed site.

The applicant has filed a FAA Form 7460-1 with the Federal Aviation Administration and expects there will be no problem found with electromagnetic compatibility or air hazard. A copy of the FAA Form 7460-1, as filed, is included with this application and is marked Engineering Exhibit E-15.

# **KLEIN BROADCAST ENGINEERING**

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## **EXHIBIT E-2 cont'd page two: Moonbeam, Inc.**

The applicant proposes to locate its single bay main FM transmission system antenna on the existing tower of Television Station K F T Y. No new tower construction is proposed and no modification to the existing tower is proposed.

The applicant expects no adverse affect as a result of the construction of the facilities proposed in this application. The applicant expects no adverse affect to any other FCC licensed or proposed services.

Therefore, the applicant expects no adverse affect to any station within 10.0 kilometers of the proposed site.

A computer printout of all stations within 10.0 kilometers of the proposed site is listed as Exhibit E-2A of this application. The applicant expects no adverse affect of any kind to any existing or proposed station, facility, or allocation within 10.0 kilometers of the proposed site for the proposed facilities as noted.

The applicant, Moonbeam, Inc., accepts the responsibility for any adverse affect to any other FCC licensed services caused by the operation of the facilities proposed in this application. No adverse affect to any station is expected as noted. No intermodulation interference of any kind is expected, as noted. However, should the proposed new facilities cause such interference, the applicant will cooperate to the fullest extent to eliminate the problem. The applicant accepts the responsibility for any adverse affect the proposed operation of the facilities proposed in this application causes and will work with the affected party to eliminate the adverse affect at the applicant's expense. This assures the Commission compliance with Section 73.317 of the FCC Rules and Regulations, as amended to date as they apply.

Exhibit E-2A included with this application shows all stations and airport landing areas within 10.0 kilometers of the proposed site.

EXHIBIT E-2A  
Klein Broadcast Engineering  
Paradise Valley, Arizona

Page 1  
February 21, 1992

Site survey program within 10.0 km

Title: MOONBEAM, INC. / CALISTOGA, CA.

Coordinates: 38-40-10 122-37-52

The nearest FCC monitoring station is 130 km distant at Livermore, CA

This site is 844 km distant from the US/Mexican border.

This site is 1064 km distant from the US/Canadian border.

| Call<br>Type | sign     | Chan | Auth | Height<br>(m ) | Power<br>(kW) | City                | State | Bear.<br>(deg) | Dist.<br>(km) |
|--------------|----------|------|------|----------------|---------------|---------------------|-------|----------------|---------------|
| PL           |          |      |      |                |               | Saint Helena, Mount | CA    | 270.0          | .10           |
| PL           |          |      |      |                |               | Rattlesnake Canyon  | CA    | 253.4          | 1.84          |
| PL           |          |      |      |                |               | Sacre Gap           | CA    | 353.3          | 1.86          |
| PL           |          |      |      |                |               | Goat Roost Rock     | CA    | 326.5          | 1.92          |
| PL           |          |      |      |                |               | Tom Dye Rock        | CA    | 353.2          | 2.23          |
| AM           | KMXN     | 1150 | CP   | 59             | 5             | SANTA ROSA          | CA    | 180.0          | 20.20         |
| FM           | KCDS     | 210  | LIC  | 925            | .79           | ANGWIN              | CA    | 216.5          | .04           |
| FM           | KLVR     | 220  | APP  | 911            | .83           | SANTA ROSA          | CA    | 216.5          | .04           |
| FM           | KLVR     | 220  | APC  | 911            | .84           | SANTA ROSA          | CA    | 216.5          | .04           |
| FM           | NEW      | 265  | APP  | 898            | .06           | CALISTOGA           | CA    | 216.5          | .04           |
| FM           | KCLB-FM1 | 220  | LIC  |                | .08           | AETNA SPRINGS       | CA    | 138.2          | 1.99          |
| FM           | NEW      | 265  | APP  | 829            | .07           | CALISTOGA           | CA    | 138.2          | 1.99          |
| FM           | KBBF     | 206  | LIC  | 844            | .42           | SANTA ROSA          | CA    | 136.1          | 2.02          |
| FM           | ALLOC    | 265  |      |                |               | CALISTOGA           | CA    | 134.7          | 5.40          |
| FM           | ALLOC    | 254  |      |                |               | MIDDLETOWN          | CA    | 8.5            | 9.42          |
| TV           | KWOK     | 68   | CP   | 939            | 2340          | NOVATO              | CA    | .0             | .00           |
| TV           | KFTY     | 50   | LIC  | 940            | 302           | SANTA ROSA          | CA    | .0             | .00           |
| TV           | KFTY     | 50   | CP   | 939            | 398           | SANTA ROSA          | CA    | .0             | .00           |
| TV           | NEW-T    | 34   | APC  | 920            | 11.8          | CLOVERDALE          | CA    | 216.5          | .04           |
| TV           | K25AQ    | 25   | APP  | 1086           | 2.61          | LAKEPORT, ETC.      | CA    | 90.0           | .05           |
| TV           | K25DV    | 25   | CP   | 832            | 1.50          | SANTA ROSA          | CA    | 138.2          | 1.99          |

| Name/<br>Type | Location            | HtAGL<br>(m ) | HtAMSL<br>(m ) | City       | State | Bear.<br>(deg) | Dist.<br>(km) |
|---------------|---------------------|---------------|----------------|------------|-------|----------------|---------------|
| TW            | 16 MILES NE OF      | 52            | 1366           | SANTA ROSA | CA    | .0             | .00           |
| TW            | MT ST HELENA, 2 M W | 24            | 1231           | SANTA ROSA | CA    | 138.2          | 1.99          |
| AP            | 7-M RANCH           |               | 1300           | MIDDLETOWN | CA    | 46.8           | 7.67          |

19 records printed.

